


**Re: *John Doe v. Jonathan R. Alger, et al.***  
**Case No: 5:15-cv-00035-EKD (U. S. District Court, W.D. Va., Harrisonburg Div.)**

**Exhibit to Plaintiff's Memorandum Regarding Remedies**

# Exhibit 4

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1 Q. Okay. So this was the notice that was  
2 sent to our client. So is this your basic -- do you  
3 have any reason to believe that he was told anything  
4 different than this?

5 A. Again, I think it's inappropriate for me  
6 to speculate on conversations I was not a part of,  
7 but I assume --

8 Q. But you --

9 A. -- that they communicated what the policy  
10 said.

11 Q. Right.

12 So where exactly is JMU's campus?

13 A. In Harrisonburg, Virginia.

14 MR. PAXTON: Right. Let me --

15

16 (Deposition Exhibit No. 127 was marked for  
17 identification and attached to the transcript.)

18

19 BY MR. PAXTON:

20 Q. Let me show you what I've marked as  
21 Exhibit 127, which I will represent to you was a map  
22 that was printed off of JMU's website last night.

23 Have you seen this map generally before?

24 A. Yes.

25 Q. Right.

1           And does this represent what you would  
2 describe generally as the campus of JMU?

3           A.     Yes, I think it has most of the campus on  
4 it.

5           Q.     Okay. Are there any gates or check points  
6 anywhere in Harrisonburg that someone has to pass  
7 through in order to get on campus or show an ID or  
8 anything like that?

9           A.     No, there are gates to parking lots that  
10 are -- that you have to have a pass to get through.

11          Q.     Right.

12                 Because parking is probably the most  
13 important precious thing that there is in a college  
14 university town?

15          A.     Certainly up there.

16          Q.     In fact, there aren't -- there aren't any  
17 security guards or campus police at the edge of the  
18 campus checking IDs; are there?

19          A.     Not typically.

20          Q.     Right.

21                 And, in fact, there are public streets  
22 that run right through the middle of your campus?

23          A.     No, I don't think that -- I wouldn't  
24 describe them as public streets. They are -- I'm not  
25 sure which ones you're referring to.

1 Q. Well, let's look at -- if you go north of  
2 81, which is sort of the middle line here, and you go  
3 up to the Bluestone area, which is sort of where we  
4 are located, we're just not far from that, there's  
5 South Main Street, U.S. Route 11.

6 A. Well, South Main Street is a public  
7 street, certainly, yes.

8 Q. Right.

9 And so what about Martin Luther King  
10 Boulevard?

11 A. Yeah, that's at the edge of the campus.  
12 But, yes, that's a public street.

13 Q. And Duke Drive?

14 A. Duke Drive actually may be operated by the  
15 university. I'm not positive of that, but there are  
16 some streets that the university actually controls.

17 Q. And the buildings on campus, the vast  
18 majority of them are owned by JMU, and that's a state  
19 agency; correct?

20 A. Yes.

21 Q. And when JMU's sports teams play  
22 intercollegiate athletics, the campus is open for the  
23 public to come; correct?

24 A. Yes, although you have to have a ticket to  
25 get in.

1 Q. Yeah.

2 A. So they do have security, and they do have  
3 people that are there.

4 Q. Right.

5 But a lot of people come and just tailgate  
6 and hang out in areas around and never go in the  
7 football game?

8 A. Actually, I don't know if that's true or  
9 not. I assume most of them do eventually go in.

10 Q. And when JMU has musical events that are  
11 open to the public, people can come on campus and can  
12 come as they want?

13 A. With tickets, yes. Again, there would be  
14 people checking tickets.

15 Q. And, in fact, tonight, one of the things I  
16 noticed on the website, JMU is hosting an event  
17 called The Public Start Party -- Star Party, where  
18 the public is specifically invited every month to  
19 come on campus and look through the telescopes to  
20 explore stars and planets.

21 Are you familiar with that program?

22 A. Yes.

23 Q. And you don't -- there's no tickets  
24 required for that; is there?

25 A. I'm not sure. I've not been to one of



1 those myself.

2 Q. That's it for that.

3 A. Okay.

4 Q. Now, in your role -- I want to ask a  
5 couple questions about your role as president of JMU.

6 But first, let me -- how many -- roughly  
7 how many undergraduate students do you have? I know  
8 it can change from day to day.

9 A. Undergraduates, there are -- I believe  
10 it's approximately 18,000. That's an approximate  
11 number.

12 Q. And has that -- has that enrollment of  
13 undergraduate students grown since you arrived in  
14 2012?

15 A. Yes.

16 Q. And as president, you report to the Board  
17 of Visitors?

18 A. Correct.

19 Q. And they're appointed by the governor?

20 A. Correct.

21 Q. JMU's website indicates that you serve as  
22 chief executive officer or CEO of the university. Is  
23 that an accurate description?

24 A. Yes.

25 Q. So is it fair to say, to use Harry